

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND**

**KENNETH FITCH
ESTATE OF DIANNE L. FITCH**

VS.

Civil Action No. 18-cv-214

**FEDERAL HOUSING FINANCE
AGENCY,
FEDERAL NATIONAL
MORTGAGEASSOCIATION,
WELLS FARGO BANK, N.A.,
HARMON LAW OFFICES, P.C.
266 PUTNAM AVENUE, LLC
RUSHMORE
LOAN MANAGEMENT SERVICES, LLC,
US BANK NATIONAL ASSOCIATION AS
TRUSTEE FOR RMAC TRUST, SERIES
2016-CTT,**

MOTION FOR SUMMARY JUDGMENT

Plaintiffs, by their attorney, move that this Court grant Summary Judgment against Federal National Mortgage Association, Rushmore Loan Management Services, LLC, US Bank National Association as Trustee for RMAC Trust Series 2016-CTT for the reasons stated in the attached Memorandum of Law. Based on the deficient Default Notice, the deficient Acceleration Notice, the failure to comply with the mediation statute and the fact that Federal National Mortgage Association lacked any ownership interest in the note or the mortgage, the foreclosure was void and Plaintiffs

are entitled to Judgment as a matter of law, there being no disputes of material fact.

KENNETH FITCH

ESTATE OF DIANNE L. FITCH
By their Attorney

November 1, 2021

/s/ John B. Ennis

JOHN B. ENNIS, ESQ. #2135
1200 Reservoir Avenue
Cranston, Rhode Island 02920
(401) 943-9230
Jbelaw75@gmail.com

CERTIFICATION

I hereby certify that I emailed a copy of the above Motion for Summary Judgment to the following on this 1st day of November, 2021 and by electronic filing:

Thomas Walsh, Esq.
Stephen Stoehrer, Esq.
Samuel Bodurtha, Esq.
Michael Jusczyk, Esq.
Zachary W. Bork, Esq.
Rowdy Cloud, Esq.

/s/ John B. Ennis